IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITON NO. 1380 OF 2004

Sunrise Containers Limited .....Petitioner

VERSUS

Adjudicating Officer for Enforcement Directorate & Anr. ..Respondents

Mr. Tushar Bhavsar instructed by M/s. Mohit Gadkari & Co.
for the Petitioner

Mr. Y.R. Mishra with Mr. Suresh Kumar for the Respondents.

CORAM: DALVEER BHANDARI, C.J., &
DR. D.Y. CHANDRACHUD, J.

DATE: SEPTEMBER 14, 2004.

P.C.:-

1. By the order dated 29th March, 2004, the Appellate Tribunal for Foreign Exchange directed that the petitioner's appeal would be heard subject to payment of 10% of the penalty amount within ten

weeks. The period has already expired. The learned counsel for the petitioner submits that the petitioner could not arrange the finance and be given some more time.

2. In the facts and circumstances of this case, on the petitioner's depositing 10% of the penalty amount, *i.e.*, Rs.12,40,000/-, within four weeks from today, the Tribunal shall entertain the appeal filed by the petitioner. We request the Tribunal to dispose of the appeal as expeditiously as possible. No further directions are necessary. This petition is accordingly disposed of.

CHIEF JUSTICE

DR.D.Y.CHANDRACHUD, J.